

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed February 8, 2007. Claims 1-10 are pending and rejected in this Application. Applicants have amended Claims 1 and 8-10. Applicants respectfully request reconsideration and favorable action in this case in view of the following remarks.

Section 101 Rejections

The Office Action rejects Claims 1-6 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically the Office Action alleges that “[t]he directory of claims 1-6 is not tangibly embodied in a manner so as to be executable.” *See Office Action*, Page 2. Although Applicants believe that the claims as originally submitted do in fact recite statutory subject matter, in order to advance prosecution of this Application, Applicants have amended Claim 1 to recite “[a] Web Services Directory encoded on a computer-readable media.” Under M.P.E.P. § 2106.01(I), “[a] claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the medium which permit the data structure's functionality to be realized, as thus is statutory.” Therefore, Applicants submit that Claim 1 recites patentable subject matter. Claims 2-6 each depend from Claim 1 and therefore also recite patentable subject matter. Thus, Applicants respectfully request that the rejections of Claims 1-6 under 35 U.S.C. § 101 be withdrawn.

The Office Action rejects Claims 7-10 under 35 U.S.C. §101 as being directed to subject matter lacking patentable utility. Specifically the Office Action alleges that “[t]he systems of claims 7-10 do not produce a tangible result to make them useful under 35 USC 101.” *See Office Action*, Page 2. Applicants respectfully traverse these rejections for the reasons discussed below.

The patent laws define patentable subject matter as “any new and useful process, machine, manufacture or composition of matter, or any new and useful improvement thereto.” *See* 35 U.S.C. § 101. An invention is included in the realm of patentable subject matter if it produces a useful, concrete, and tangible result. *See* M.P.E.P. § 2106(IV)(C). The

M.P.E.P. further defines the tangibility requirement as requiring “some practical method or means of producing a beneficial result or effect . . .” *Id.* (quoting *Corning v. Burden*, 56 U.S. (15 How.) 252, 268 (1854)). “Only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 U.S.C. 101.” *See* M.P.E.P. § 2106. As discussed below, Claims 7-10 clearly recite a useful, concrete, and tangible result and are therefore directed to patentable subject matter.

As an example, Claim 7 is directed to a Web Services system that includes a registry in which businesses may register. The registry comprises a hierarchical directory that includes at least one Business Entity object and at least one User object. The at least one Business Entity Object is arranged under the at least one User object. The Web Services system also includes a storage system for storing business information and is accessible via the hierarchical directory.

Applicants respectfully submit that, at a minimum, the limitation “a registry in which businesses may register” is a useful, concrete and tangible result of Claim 7. For at least these reasons, Applicants respectfully request the withdrawal of the rejection of Claim 7 under 35 U.S.C. § 101.

Similar to Claim 7, Claim 8 also recites “a registry in which businesses may register.” As discussed above with regard to Claim 7, Applicants respectfully submit that this limitation represents a useful, concrete and tangible result. For at least these reasons, Applicants respectfully request the withdrawal of the rejections of Claim 8 under 35 U.S.C. 101. Claims 9 and 10 each depend from Claim 8 and therefore also recite patentable subject matter.

The Office Action discusses and attempts to characterize several phrases used in the specification and/or claims of the Application. *See Office Action*, Page 2. For example, the Office Action alleges that “[t]he claims appear to represent an arrangement of objects in a storage system, wherein the objects have no functionality.” *Id.*

Applicants do not agree with or acquiesce to the characterizations, statements and/or definitions delineated in the Office Action. Moreover, Applicants respectfully disagree with the conclusions of the Office Action regarding the use of these terms, in particular with the use of these definitions, characterizations, and conclusions of the Office Action in support of rejections under 35 U.S.C. § 101. For example, whether or not Claims 7-10 include “an arrangement of objects in a storage system” as alleged by the Office Action, does not change the fact that Claims 7-10 include “a registry in which businesses may register” and are therefore directed to patentable subject matter. For at least these reasons, Applicants respectfully request that the rejections of Claims 7-10 under 35 U.S.C. § 101 be withdrawn.

Section 102 Rejections

The Office Action rejects Claims 1-7 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0002955 issued to Gadbois (“*Gadbois*”). Applicants respectfully traverse these rejections for the reasons stated below.

Claim 1 is directed to a Web Services Directory that includes at least one Business Entity object and at least one User object. The Business Entity object is arranged under the User object. *Gadbois* does not disclose, teach, or suggest each of these limitations.

The Office Action contends that Organization1 222 and Organization2 224 of FIGURE 2 of *Gadbois* are User objects as defined by Claim 1 because “[n]odes 222 and 224 both represent objects that may be accessed by a user, thus making them user objects.” See *Office Action*, Page 9. Applicants respectfully disagree. First, the Office Action fails to cite any support for the conclusion that “any object accessible by a user may qualify as a user object.” To the extent that the Examiner intends to rely on this conclusion, Applicants respectfully request that the Examiner provide arguments to support this conclusion along with applicable references.

Second, even assuming for the sake of argument only that “any object accessible by a user may qualify as a user object,” there is no suggestion in *Gadbois* that Organization1 222 and Organization2 224 may be accessed by users. Rather, *Gadbois* merely describes

techniques for users to access Publisher Assertions 252. *See Gadbois*, Abstract and Paragraph 0035. At no point does *Gadbois* teach, suggest, or disclose that users may access Organization1 222 and Organization2 224. Thus, there is no support for the conclusion that Organization1 222 and Organization2 224 are User objects. For at least these reasons, Applicants respectfully submit that Claim 1 is patentably distinguishable from *Gadbois*.

Claims 2-6 each depend from Claim 1. Therefore, Applicants respectfully submit that Claims 2-6 are patentably distinguishable from *Gadbois* for at least the same reasons discussed above with regard to Claim 1.

Similar to Claim 1, Claim 7 also recites “at least one Business Entity object and at least one User object.” Therefore, Applicants respectfully submit that Claim 7 is patentably distinguishable from *Gadbois* for at least the same reasons discussed above with regard to Claim 1.

Claims 1-3, 5 and 7 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2004/0213409 issued Murto, et al. (“*Murto*”). Applicants respectfully traverse these rejections for the reasons stated below.

Claim 1 is patentably distinguishable from *Murto* at least because *Murto* does not teach or suggest “at least one User object, wherein the at least one Business Entity object is arranged under the at least one User object.” The Office Action contends that User data 222 of *Murto* is “at least one User object” and the businessEntity XML element of UDDI registry 170 is “at least one Business Entity object,” as defined by Claim 1. *See Office Action*, Page 5. Applicants respectfully disagree. User data 222 is stored on wireless device 100 and is completely separate from UDDI registry 170. *See Murto*, Figure 1 and Paragraph 0049. Further, because the alleged User object is completely separate from the alleged Business Entity Object, the alleged Business Entity object is not arranged under the User object, as required by Claim 1. For at least these reasons, Applicants respectfully submit that Claim 1 is patentably distinguishable from *Murto*.

Claims 2, 3, and 5 each depend from Claim 1. Therefore, Applicants respectfully submit that Claims 2, 3, and 5 are patentably distinguishable from *Murto* for at least the same reasons discussed above with regard to Claim 1.

Similar to Claim 1, Claim 7 also recites “wherein the at least one Business Entity object is arranged under the at least one User object.” Therefore, Applicants respectfully submit that Claim 7 is patentably distinguishable from *Murto* for at least the same reasons discussed above with regard to Claim 1.

Section 103 Rejections

The Office Action rejects Claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over *Gadbois* in view of *Murto*. Applicants respectfully traverse these rejections for the reasons stated below.

Claim 8 is directed to a Web Services system that includes a registry in which businesses may register. The registry comprises a hierarchical directory comprising at least one Domain object, at least one Business Entity object, and at least one User object. The at least one User object identifies a user account for managing at least one Business Entity object arranged under the at least one User object.

The Office Action rejects Claim 8 and contends that the limitations of Claim 8 are disclosed by *Gadbois* and *Murto*. However, neither *Gadbois* nor *Murto*, alone or in combination, disclose, teach, or suggest “at least one User object, wherein the at least one User object identifies a user account for managing at least one Business Entity object arranged under the at least one User object.” The Office Action again relies on User data 222 of *Murto* as the alleged User object, but this reliance is flawed. As described above, *Murto* is directed to enabling a wireless device 100 to access a UDDI registry 170. However, there is no suggestion that the alleged User object (User data 222) manages at least one Business Entity object arranged under the at least one User object. In fact, as described above, the alleged Business Entity object (businessEntity XML element in UDDI registry 170) is stored completely separate from the alleged User object (User data 222 in wireless device 100).

Thus, User data 222 does not manage at least one Business Entity object, as required by Claim 8.

Claims 9 and 10 each depend from Claim 8. Therefore, Applicants respectfully submit that Claims 9 and 10 are patentably distinguishable from *Gadbois* and *Murto* for at least the same reasons discussed above with regard to Claim 8.

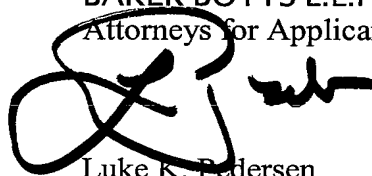
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stand ready to conduct such a conference at the convenience of the Examiner.

Although Applicants believe no fees are currently due, should there be a fee discrepancy, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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